Gregg M. Galardi, Esq. Douglas M. Foley (VSB No. 34364)
Ian S. Fredericks, Esq. Sarah B. Boehm (VSB No. 45201) SKADDEN, ARPS, SLATE, MEAGHER & MCGUIREWOODS LLP FLOM, LLP One Rodney Square PO Box 636 Wilmington, Delaware 19899-0636 (804) 775-1000 (302) 651-3000

One James Center 901 E. Cary Street Richmond, Virginia 23219

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 333 West Wacker Drive Chicago, Illinois 60606 (312) 407-0700

Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

- - - - - - - - - x In re: Chapter 11 CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH) <u>et</u> <u>al</u>., Debtors. : Jointly Administered - - - - - - - - - x

# ORDER ON DEBTORS' SEVENTY-EIGHTH OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN LATE CLAIMS)

THIS MATTER having come before the Court on the Debtors' Seventy-Eighth Omnibus Objection to Claims (Disallowance of Certain Late Claims) (the "Objection"), 1 which requested, among other things, that the Claims specifically identified on Exhibit C attached to the

Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

Objection be disallowed in their entirety and for all purposes in these bankruptcy cases for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that certain Claimants filed a response to the Objection; and it appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. The Objection is SUSTAINED.
- 2. The Claims identified on Exhibit A as attached hereto and incorporated herein are disallowed in their entirety for all purposes in these bankruptcy cases.
- 3. The status hearing on the Objection to the claims identified on <a href="Exhibit B">Exhibit B</a> as attached hereto and incorporated herein is hereby adjourned to July 22, 2010 at 10:00 a.m.

  (Eastern) or until such later time as agreed by the parties.
- 4. The Objection is withdrawn without prejudice as to the claim identified on Exhibit C as attached hereto and

incorporated herein; provided, further, that the Debtors' rights and abilities to object to the claim on <a href="Exhibit C">Exhibit C</a> on any available grounds and bases applicable law permits are hereby preserved in their entirety and nothing herein shall be construed or deemed to limit or impair such rights and abilities.

- 5. The Debtors' rights to object to any claim, including (without limitation) the Claims included in the Objection, on any grounds that the applicable law permits are not waived and are expressly reserved.
- 6. The Debtors shall serve a copy of this Order on the claimants included on the exhibit to this Order on or before seven (7) days from the entry of this Order.
- 7. This Court shall retain jurisdiction with respect to all matters arising from or related to this Order.

Dated: Richmond, Virginia

\_\_\_\_\_\_, 2010

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

### WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

- and -

/s/ Douglas M. Foley
Douglas M. Foley (VSB No. 34364)
Sarah B. Boehm (VSB No. 45201)
MCGUIREWOODS LLP
One James Center
901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000

Counsel to the Debtors and Debtors in Possession

### CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

Case 08-35653-KRH Doc 7860 Filed 06/18/10 Entered 06/18/10 14:49:44 Desc Main
In re: Circuit City Stores, Inc, et al. Document Page 5 of 8 Debtors' Seventy-Eighth Omnibus Objection to Claims
Case No. 08-35653-KRH (Disallowance Of Certain Late Claims) - Ordered

### **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
AMCOR INC C O UNIVERSITY MANAGEMENT ASSOCIATION ATTN LYNN PATEREK PO BOX 913 HACKETTSTOWN, NJ 07840	14874	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$3,708.00	03/22/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$3,708.00		
ANGEL FIGUEROA 2093 JESSA DR KISSIMMEE, FL 34743	14993	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$300.00	04/01/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$300.00		
CITY OF GREENSBORO NORTH CAROLINA PO BOX 3136 GREENSBORO, NC 27402-3136	14828	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$50.00	03/08/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$50.00		
DERYK WHATLEY 166 W 4600 N PROVO, UT 84604	14908	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$275.00	03/29/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$275.00		
ISA CHARLIE HULSMAN 7100 GRADE LN LOUISVILLE, KY 40213	14822	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$18,596.49	03/04/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$18,596.49		

 <sup>&</sup>quot;UNL" denotes an unliquidated claim.

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In re: Circuit City Stores, Inc, et al. Document Page 6 of 8 Debtors' Seventy-Eighth Omnibus Objection to Claims
Case No. 08-35653-KRH (Disallowance Of Certain Late Claims) - Ordered

## **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
KENTUCKY LABOR CABINET OFFICE OF THE GENERAL COUNSEL 1047 US HWY 127 S STE 4 FRANKFORT, KY 40601	14837	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$250.00	03/08/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$250.00		
KEYSPAN GAS EAST CORP DBA NATIONAL GRID SUZANNE BRIENZA ESQ 15 PARK DR MELVILLE, NY 11747	14884	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$9,990.70 \$9,990.70	03/22/2010	CIRCUIT CITY STORES, INC. (08-35653)
LONG ISLAND LIGHTING COMPANY DBA LIPA SUZANNE BRIENZA ESQ 15 PARK DR MELVILLE, NY 11747	14885	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$343.65	03/22/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$343.65		
WILLIAM NASSIF 2603 N VAN DORN ST APT 11 ALEXANDRIA, VA 22302-1615	14887	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$704.82	03/25/2010	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$704.82		

Total: 9 \$34,218.66

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In re: Circuit City Stores, Inc, et al. Document Page 7 of 8 Debtors' Seventy-Eighth Omnibus Objection to Claims
Case No. 08-35653-KRH (Disallowance Of Certain Late Claims) - Adjourned

### **EXHIBIT B**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
KENNETH R PORTER 3608 CROSSWICKS CT FORT WORTH, TX 76137	14843	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$3,984.68 \$3,984.68	03/11/2010	CIRCUIT CITY STORES, INC. (08-35653)
METRA ELECTRONICS CORP 460 WALKER ST HOLLY HILL, FL 32117	14894	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	\$196,003.32 \$196,003.32	03/26/2010	CIRCUIT CITY STORES, INC. (08-35653)
US EQUAL EMPLOYMENT OPPORTUNITY COMMISSION MARISOL RAMOS PHILADELPHIA DIST OFFICE 801 MARKET ST STE 1300 PHILADELPHIA, PA 19106-2515	14453	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$200,000.00 \$200,000.00	07/02/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 3 \$399,988.00

Case 08-35653-KRH Doc 7860 Filed 06/18/10 Entered 06/18/10 14:49:44 Desc Main
In re: Circuit City Stores, Inc, et al. Document Page 8 of 8 Debtors' Seventy-Eighth Omnibus Objection to Claims
Case No. 08-35653-KRH (Disallowance Of Certain Late Claims)-Withdrawn

### **EXHIBIT C**

CREDITOR'S NAME AND ADDRESS	CLAIM	ASSERTED		DATE	DOCKETED
	NUMBER	CLAIM AMOUNT *		FILED	DEBTOR
SBC GLOBAL SERVICES INC C O LOWENSTEIN SANDLER PC VINCENT A D AGOSTINO ESQ 65 LIVINGSTON AVE ROSELAND, NJ 07068	14332	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$34,979.55 \$34,979.55	07/01/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 1 \$34,979.55